Abandoned Vehicle Titling Manual



State of Missouri Department of Revenue Driver and Vehicle Services Bureau

January 2005

ATTENTION TOWERS!! NEW LEGISLATION

Senate Bill 1233, which went into effect January 1, 2005, establishes standards for towing companies. Enclosed is the revised ABV Manual which outlines the procedures to follow for abandoned vehicles.

Following is a detailed summary of the provisions of Senate Bill 1233:

1. STANDARDS FOR TOWING COMPANIES - This act provides that towing companies performing tows of abandoned vehicles pursuant to Sections 304.155 (law enforcement requested tows) and 304.157 (nonconsensual private property tows) shall meet the following requirements:

NOTE: Second, third, and fourth-class counties are exempt from the towing standards section.

- A. Have a verifiable business address or storefront;
- B. Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of vehicles;
- C. Be available 24 hours a day, 7 days a week;
- D. Maintain an insurance policy or other form of security in the amount of \$500,000 per incident;
- E. Provide worker's compensation for all employees, if required to do so by law; and
- F. Maintain current motor vehicle registrations on all the tow trucks within the towing company's fleet (Section 304.154, RSMo).
- 2. TOWER ONLINE ACCESS TO DEPARTMENT RECORDS This act modifies the towing statutes to allow towers to access the department's records online to determine the latest owner and lienholder of record for the abandoned property that was towed. If the vehicle has not been claimed within 10 days of the tow, the tower must notify the owner and lienholder of record. Providing the tower with immediate online access will expedite this notification process since they will no longer have to wait for law enforcement to submit the tow report to the department and for the department to provide the tower with the owner/lienholder information. (Sections 304.155.6 and 304.157).
 - NOTE: To have online access, the tower must have an account number and security access code assigned to them by the department. To receive an account number and access code, the tower may request an information packet/application by calling the Dealer Licensing Section at (573) 751-8343 or http://dorx.mo.gov/mvdl/motorv/liendeal. THERE IS NO FEE FOR THE ONLINE ACCESS.
- **3. KANSAS CITY AND ABANDONED PROPERTY** This act allows Kansas City to adopt, by ordinance, regulations for the removal and sale of abandoned property by requiring:

- A. The city to search the department's records to determine ownership of the abandoned property;
- Notification to the owner/lienholder by mail advising of the towing and impoundment of the abandoned property;
- C. Vehicles older than six years and more than 50 percent damaged by collision, fire, or decay and have a fair market value of less than \$200, must be held at least 10 days after the notice is sent before being sold to a licensed salvage or scrap business on an *Abandoned Property Bill of Sale* (DOR-4579); and
- D. All other vehicles must be held at least 30 days after the notice is sent before being sold on an *Abandoned Property Bill of Sale* (DOR-4579).
- 4. LAW ENFORCEMENT TOWS This act authorizes a law enforcement officer to remove property abandoned on the right-of-way of an interstate highway in an urbanized area, (which is left unattended for 4 hours, instead of 10 hours) if the law enforcement officer determines that the abandoned property is a serious hazard to other motorists. The act also authorizes a law enforcement officer to remove property abandoned on the right-of-way of an interstate highway outside of an urbanized area, (which is left unattended for 4 hours, instead of 48 hours) if the law enforcement officer determines the abandoned property is a serious hazard to other motorists (Section 304.155, RSMo).
- 5. SELLING ABV'S FOR DESTRUCTION A towing company must comply with the notification requirements; the notification must indicate that any ABV remaining unredeemed after 30 days may be sold as scrap property. A tow company may sell the ABV to a scrap metal operator or a licensed salvage dealer for destruction on a bill of sale. The bill of sale must state the ABV is being sold for destruction purposes only, if no satisfactory arrangements have been made with the tow company for continued storage, and the owner/lienholder has not requested a hearing as provided in section 304.156 of RSMo. The towing company shall forward a copy of the bill of sale, provided to the scrap metal operator or licensed salvage dealer, to the department within two weeks of the date of sale.
- **6. RECORD KEEPING REQUIREMENTS** Towing companies shall maintain records for three years on any ABV towed and not reclaimed by the owner. Such records must contain:
 - A. Information regarding the authorization to tow;
 - B. Copies of correspondence with the department; and
 - C. Information concerning the final disposition of the ABV.

For ABV's sold on a bill of sale for destruction purposes only, the tow company must also keep the following information for three years:

- Year, make, vehicle identification number,
- Date of sale.
- Name of the purchasing scrap metal operator or licensed salvage dealer, and
- Copies of all notification letters to the owners/lienholders and drivers.

A towing company shall not remove an ABV from private property without first obtaining written authorization from the property owner, except when authorized by a law enforcement agency. The towing company must maintain all written authorizations for at least one year from the date of authorization.

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DEFINITIONS

The law defines a towing company as "any person or entity which tows, removes, or stores abandoned property".

Abandoned property (ABV) is defined as "any unattended motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel removed or subject to removal from public or private property" as provided in sections 304.155 and 304.157, RSMo, whether or not operational.

ABVS SUBJECT TO TOWING FROM <u>PUBLIC</u> PROPERTY

Section 304.155, RSMo, allows any law enforcement officer within the officer's jurisdiction, or an officer of a federal, state, or local government agency where that agency's real property is concerned, to authorize a towing company to remove an ABV to a place of safety when:

- 1. Left on the right-of-way of:
 - Any interstate highway, state highway, or freeway in an urbanized area, left unattended for 10 hours or after four hours if a law enforcement officer determines that the ABV is a serious hazard to other motorists; or
 - Any interstate highway, state highway, or freeway outside of an urbanized area, left unattended for 48 hours or after four hours if a law enforcement officer determines that the ABV is a serious hazard to other motorists.
- Left on any highway or bridge that obstructs the normal movement of traffic, and there is no indication that the person in control of the property is arranging for its immediate control or removal.
- 3. Reported stolen or taken without consent of the owner.
- 4. The person operating such property was arrested, taken into custody, and was unable to arrange for the property's timely removal.
- 5. The owner has an outstanding traffic or parking violations related to any other state law or local ordinance.
- 6. Left unattended and is in violation of a state law or local ordinance where signs are posted giving notice of the law or where the violation causes a safety hazard.

7. Left on the "waters of this state" (as defined in Section 306.010 (9), RSMo) where it is obstructing the normal movement of traffic, or where it is unattended for more than 10 hours or floating loose on the water.

The Missouri Department of Transportation may immediately remove any abandoned, unattended, wrecked, burned, or partially dismantled property, spilled cargo or other personal property from the roadway of any state highway if the ABV, cargo, or personal property is creating a traffic hazard because of its position in relation to the state highway.

Commercial motor vehicles not hauling waste designated as hazardous under Title 49, Section 5103 (a), United States Code, may only be moved after the owner or owners representative has had a reasonable opportunity to contact a towing company of his or her choice.

ABV'S TOWED FROM PRIVATE PROPERTY WITH LAW ENFORCEMENT AUTHORIZATION

An ABV can be removed at the request of the owner, lessee, or property/security manager of the private property, if a vehicle or unit was abandoned on this property without consent, by contacting any member of law enforcement within his or her jurisdiction. The appropriate law enforcement officer may authorize a towing company to remove the ABV if:

- Left unattended for more than 48 hours, or
- After four hours a law enforcement officer determines that the ABV is a serious hazard to other motorists; or
- It is a safety hazard or interferes with the use of the private property as determined by a law enforcement officer.

NOTE: Any local government agency may authorize the towing of motor vehicles from private property for vehicles that are junk, scrapped, disassembled, or otherwise harmful to the public health under the terms of their local ordinance.

ABV'S TOWED
FROM PRIVATE
PROPERTY
WITHOUT LAW
ENFORCEMENT
AUTHORIZATION

When present, the owner, lessee, or property/security manager of the private property may authorize an ABV to be removed without law enforcement authorization when parked in a restricted/assigned area if:

NOTE: A property/security manager must be a full-time employee of a business entity.

- 1. A sign not less than 17 by 22 inches in size is displayed in plain view of all entrances to the property. The sign must:
 - Contain lettering not less than one inch in height;
 - Prohibit public parking and indicate that unauthorized ABVs parked in a restricted/assigned area will be removed at the owner's expense;
 - Disclose the maximum fee for all charges related to towing and storage;
 - Contain the telephone number of the local law enforcement agency or a 24-hour emergency hotline which the owner of the ABV may call to receive information regarding the location of the ABV.
- The ABV is left unattended on owner occupied residential property with four residential units or less, the appropriate law enforcement agency has been notified, and 10 hours have elapsed since that notification; or
- 3. The ABV is left unattended on **private property**, the appropriate law enforcement agency has been notified, and **96 hours** have elapsed since that notification.

A general agreement between a business/individual and a towing company to tow vehicles at their discretion is **not acceptable**, except in the case of an ABV parked within 15 feet of a fire hydrant or in a fire lane designated by a fire department or the state fire marshal.

NOTE: Any city, town, or village within this state may prohibit by ordinance, the storage of inoperable vehicles or other vehicles deemed by such city, town, or village to constitute a public safety hazard. This does not apply to a vehicle which is completely enclosed within a locked building or locked fenced area and not visible from adjacent public or private property, nor to any vehicle upon the property of a business licensed as salvage, swap, junk dealer, towing, or storage facility so long as the business is operated in compliance with its business license and the property is in compliance with applicable zoning ordinances.

REQUIREMENTS BEFORE TITLING

LAW ENFORCEMENT/ GOVERNMENT AGENCY REQUIREMENTS

Law Enforcement Authorized Tows

Any law enforcement, federal, state, or local government agency authorizing an ABV to be towed from public or private property must complete and sign the *Crime Inquiry and Inspection Report/Authorization to Tow* (DOR-4569), Exhibit A.

- State or federal government agencies, other than a law enforcement agency, must submit a completed DOR-4569 to the Missouri State Highway or Water Patrol within two hours of the tow.
- Local government agencies, other than a law enforcement agency, must submit a completed DOR-4569 to the local law enforcement agency within two hours of the tow.

If the tow was authorized due to an accident, and law enforcement does not complete the DOR-4569 at the time of tow, it must be completed within five days of the accident if the vehicle has not been retrieved. The DOR-4569 must include:

- 1. Reason for the tow;
- 2. Accident site from which the vehicle was towed: and
- 3. Name of the authorizing agency.

The law enforcement agency that authorizes the towing of the ABV or was properly notified by another government agency of such towing must:

- Make an inquiry with the National Crime Information Center (NCIC) and any statewide Missouri law enforcement computer system to determine if the ABV has been reported stolen and to determine ownership;
- 2. Enter the ABV information into the Missouri Uniform Law Enforcement System (MULES).
- 3. Send written notification of the tow to the registered owner and any lienholder within five days of the tow. If a government agency authorized a tow, they must send the above written notification. The notice must include the fact the property was towed, the grounds for removal, and the place where the property is being stored. A copy of the notice must be given to the operator of the vehicle storage facility.

 Submit the DOR-4569 to the department, on any ABV that remains unclaimed, after 10 days of the tow for any tow company without online access to the department's records.

NOTE: The towing company in possession of the ABV who do not have online access to the department's records must notify the appropriate law enforcement agency if the ABV remains unclaimed after 10 days of the tow.

5. Issue appropriate copies of the DOR-4569 to the towing company.

Private Property Tows

For tows that were **not** authorized by law enforcement, an *Abandoned Property Report* (DOR-4669), Exhibit B, must be submitted to law enforcement from the tow company. After receipt of the DOR-4669 law enforcement must:

- 1. Make an inquiry with NCIC and any statewide Missouri law enforcement computer system to determine if the ABV has been reported stolen and to determine ownership;
- Enter the ABV information into MULES;
- Complete and sign the law enforcement section of the DOR-4669; and
- 4. Provide the tow company with a signed copy.

TOW COMPANY REQUIREMENTS

Law Enforcement Authorized Tows

For tows authorized by law enforcement, tow companies with online access to the department's records must check the department records for owner and lienholder information if the vehicle has not been claimed within 10 days of the tow.

NOTE: To access the department's records online, see Section 6.

If the tow company does not find owner or lienholder information using the online record lookup, the tow company must send a copy of the completed "no record" screen from the online record search and a copy of the DOR-4569 to the department.

NOTE: If the ABV is not claimed after 10 days and the tower **does not** have online access to the department's records, the law

enforcement agency must forward the DOR-4569 to the department.

Private Property Tows

The owner, lessee, or property/security manager of private property that requests a towing company to tow an ABV without law enforcement authorization must complete a DOR-4669 at the time of tow. The DOR-4669 shall be considered a legal declaration subject to criminal penalty pursuant to Section 575.060, RSMo.

Any towing company that tows an ABV from private property **without** law enforcement authorization must deliver a copy of the DOR-4669 to the jurisdictional law enforcement agency from where the ABV was towed. This must be done within two hours if the tow was made from a location displaying a sign (see page 1-4), otherwise the DOR-4669 must be delivered within 24 hours of the tow.

If the towing company has online access to the department's records they shall make an online record look-up to determine the ABV's owner and lienholder. Within five working days the towing company must send written notification of the tow to the registered owner and any lienholder. The notice must include the fact the property was towed, the grounds for removal, and the place where the property is being stored. A copy of the notice must be given to the operator of the vehicle storage facility.

NOTE: If the towing company does not have online access, they must obtain the name of the owner/lienholder from the law enforcement section of the DOR-4669.

If the ABV is not claimed after ten days from the date of the tow the tower must:

- Notify the owner/lienholder by certified mail of intent to title the ABV by using the Vehicle Owner and Lienholder Notification (DOR-4577), Exhibit C; or
- 2. Send a copy of the DOR-4669 and a copy of the "no record" screen to the department for further research **only** if there is no owner/lienholder information available. The department will notify the towing company of its search results. The towing company must notify the owner/lienholder of their intent to title within ten days of receiving the letter from the department.

NOTE: If the towing company does not have online access,

they must submit a copy of the DOR-4669 to the department for owner/lienholder information.

NOTIFICATION REQUIREMENTS

Missouri law requires all owners and lienholders of record to be notified by **certified mail** at their last known address. The *Vehicle Owner and Lienholder Notification* (DOR-4577) should be used for this purpose. If the department's records do not reflect an owner/lienholder, or if the notice is returned as "not forwardable" or "address unknown" the tower must notify:

- 1. All owners and lienholders shown on the tow report; if none are shown or if the notice is returned as noted above, then notify:
- 2. All drivers shown on the tow report. If the driver informs the tow company of the name of the owner, this owner must be notified.

NOTE: The notices referenced in 1 and 2 may be sent by regular mail.

NO RECORD OF OWNER/LIENHOLDER

If the department has no record of the ABV having been titled or registered and all notification efforts are unsuccessful, the towing company must certify that a physical search of the ABV disclosed no other evidence of ownership and that a good faith effort was made to establish the prior state of registration and title by checking:

- 1. License plates, license plate record, temporary permit, inspection sticker, decal or other evidence that may indicate a state of possible registration and title; and
- 2. Law enforcement/tow report for a license plate number or registration number, or to see if an address is indicated in the driver information area of the report.

NOTE: If there is no record of the vehicle, the department will provide the tower with a form, Exhibit D, for the tower to certify the above checks have been made. The "No record" screen print, Exhibit E, may also be used for this purpose.

This certification must accompany the application for title.

CERTIFIED NOTICE RETURNED AS UNDELIVERABLE

If the tower attempts to notify the owner/lienholder identified by the department and the certified notice is returned as "not forwardable" or "address unknown", the towing company must certify on the *Abandoned Property Affidavit* (DOR-4576), Exhibit F, that a good faith effort was made to locate the owner or lienholder of record. This form must accompany the application for title.

OWNER/ LIENHOLDER APPEAL RIGHTS

The towing company acquires a lien for all reasonable charges for the towing/storage of the ABV until the ABV is returned to the owner/lienholder. The owner/lienholder may retake possession of the ABV at any time during business hours by:

- Proving ownership or a secured lien; and
- Paying all towing/storage charges.

NOTE: The owner has a right to request a hearing as noted on page 5-1 if he or she feels the towing was improper or illegal.

If the owner/lienholder fails to comply with the notice to redeem the ABV, after 30 days has elapsed, the tower may apply for a title/junking certificate in the towing company's name in order to dispose of the property (if selling for destruction see Section 3). If the sale of the vehicle fails to satisfy the tow/storage fees, the owner is still liable for the additional fees.

NOTE: If a lienholder is shown on record with the department for the ABV, the lien **will not** be carried forward to the towing company's title.

VEHICLE EXAMINATION CERTIFICATE

To receive an original certificate of title on an ABV, a *Vehicle Examination Certificate* (DOR-551), Exhibit G, must be submitted with the application for title and other required documentation. A DOR-551 can be obtained by submitting a \$25 fee and \$2.50 processing fee to any office or, with a written request, to the Driver and Vehicle Services Bureau's Central Office, P. O. Box 100, Jefferson City 65105-0100.

The top portion of the DOR-551 must be completed in full and signed by the applicant. The bottom portion must be completed by an

officer of the Missouri State Highway Patrol or Auto Theft in the county or City of St. Louis.

If application for title is not made within six months of the inspection date documented on the DOR-551, the unit will have to be inspected again.

If the completed DOR-551 shows that the public vehicle identification number is missing from the vehicle, a completed and signed *Application for Replacement Vehicle Identification Number* (DOR-923), Exhibit H, must be submitted. The DOR-923 must be certified by a member of the Missouri State Highway Patrol or Auto Theft in the county or City of St. Louis.

The ABV may be operated on the public streets/highways for the sole purpose of obtaining a DOR-551 by purchasing a driveaway permit to display on the unit. The ABV must be driven over the most direct route between where the unit is stored and the appropriate law enforcement's inspection station where vehicle examinations are conducted.

DIRECTOR OF REVENUE (DIRECTOR) REQUIREMENTS

For towing companies without online access or have online access and received a "No record" search result, the director will:

- 1. Perform a record search to obtain the name and address of the owner and lienholder by:
 - a. Searching the department's files within five working days of the receipt of the DOR-4569 or DOR-4669; or
 - b. Contacting the state indicated on the DOR-4569 or DOR-4669 if the ABV was registered or titled in another state to obtain the name and address of the owner and lienholder. The state will respond within their time frame with the information found in their records.
- 2. Send a letter to the towing company within 15 working days indicating:
 - a. The name and address of the owner and lienholder; or
 - There is no record available and request the tower to make a physical search for additional evidence of ownership of the ABV.

SELLING ABV'S FOR DESTRUCTION

A towing company must comply with the notification requirements outlined in Section 2, and the notification must also indicate that any ABV remaining unredeemed after 30 days may be sold as scrap property. They may then sell the ABV to a scrap metal operator or a licensed salvage dealer for destruction on the *Bill of Sale/Even – Trade Bill of Sale* (DOR-1957), Exhibit I, that states the ABV is being sold for destruction purposes only, if no satisfactory arrangements have been made with the tow company for continued storage, and the owner/lienholder has not requested a hearing as provided in section 304.156 of RSMo. The towing company shall forward a copy of the bill of sale provided to the scrap metal operator or licensed salvage dealer to the department within two weeks of the date of sale.

DOCUMENTS REQUIRED TO TITLE TOWED ABV's

The following documents are required from towing companies to obtain a title for ABV's that were towed:

- Copy of the online record search listing owner/lienholder or copy of notice the department issued to the towing company.
- 2. A properly completed title application in the towing company's name. The application must be signed by an authorized agent of the towing company.
 - An Application for Missouri Title and License (DOR-108) for motor vehicles, trailers, or all-terrain vehicles; or

NOTE: Current or estimated mileage is required for vehicles less than ten years old. If the mileage is unobtainable, write in an estimated mileage and a statement at the bottom of the application that mileage is only estimated including the reason for mileage estimate: fire, digital dash inoperable, or other.

 An Application for Missouri Watercraft or Outboard Motor Title and Registration (DOR-93) for marinecraft (includes outboard motors or vessels).

NOTES: The title type must be checked as "Original", "Salvage" or "Junking".

If applying for an "Original" title, a completed DOR-551 must be submitted with the title application. Information provided in the DOR-551

determines if the title will be branded "Prior Salvage."

- 3. An *Abandoned Property Affidavit* (DOR-4576), Exhibit F, completed, signed, and notarized.
- 4. A copy of the appropriate tow report:
 - For public property tows or private property tows with law enforcement or government agency authorization:
 - ✓ Completed DOR-4569, Exhibit A, or a Vehicle Record (SHP-29F), Exhibit J, completed by the Missouri State Highway Patrol.

For private property tows with property owner, lessee, property/security management authorization:

- ✓ A DOR-4669, Exhibit B, completed and signed by the property owner, lessee or agent of the property, towing company, and law enforcement.
- All tow reports **must** contain the following information:
 - ✓ Year, make, vehicle identification number;
 - ✓ License plate number and state of issuance, if available;
 - ✓ Storage location of the towed property;
 - ✓ Name, address and telephone number of the tow company;
 - ✓ Date and reason for tow;
 - ✓ Location property was towed from;
 - ✓ Description of any damage to the property;
 - Computer inquiry verification and date of inquiry by law enforcement;
 - ✓ Odometer Reading, if available; and
 - ✓ Signature and printed name of tow operator.

- The DOR-4569 must also include:
 - Name of the law enforcement agency that authorized the tow; and
 - ✓ Signature and printed name of law enforcement officer that authorized the tow.
- The DOR-4669 must also include:
 - ✓ Signature and printed name of property/security manager.
 - ✓ Name, address, and telephone number of the law enforcement agency notified of the tow.
 - ✓ Date and time law enforcement was notified of tow.
 - ✓ Signature and printed name of law enforcement office completing the DOR-4669.

NOTE: A tow company cannot authorize itself to remove a vehicle already on its property. For a tow company to obtain title for a vehicle that was left on their property or for a vehicle that was towed without written authorization, the towing company will need to follow the procedures outlined on page 3-5 for a landowner abandoned property title.

6. A copy of the DOR-4577, Exhibit C, sent by regular mail to all owners/lienholders of the ABV.

NOTE: If a record of the last owner/lienholder cannot be located, the "no record" notification letter, Exhibit D, sent to the towing company by the department must be completed, signed and submitted with the title application.

7. Legible copy of the signed certified mail receipt (green card), Exhibit K, or a legible copy of the returned envelope. If the signed card or returned envelope is not available, a copy of the track and confirm screen print from the U.S. Post Office website along with legible copies of the postal receipts, Exhibit L, indicating the names and addresses of the notified parties. The track and confirm screen print must indicate that the letter was delivered or returned to the sender. NOTE: If the notice to the owner/lienholder is returned, the towing company must certify that it made a good faith effort to locate the owner/lienholder. Section B of the DOR-4576, Exhibit F, may be completed and submitted with the title application to comply with this requirement.

8. No title/processing fee or sales tax is due. If expeditious title handling is required, submit a \$5 expeditious fee.

STOPPING AN ABV TITLE

A tow company can stop an application for ABV title if the department is notified before the title issues. The tow company will need to call the department requesting the application be stopped and following up the phone call with a written statement that is mailed or faxed to the department.

The ABV title **will not** be voided if the stop request is received after the title issues.

TITLING REQUIREMENTS FOR ABV'S SOLD BY A MUNICIPALITY OR COUNTY

Municipalities or counties with ordinances may sell an ABV on an *Abandoned Property Bill of Sale* (DOR-4579), Exhibit M. Their ordinance must be consistent with Section 304.155 of RSMo, and have a certification of such on record with the department.

The purchaser must submit the following documents and fees to obtain an original/salvage title or junking certificate:

- 1. A properly completed and signed title application in the purchaser's name:
 - A DOR-108 for motor vehicles, trailers or all-terrain vehicles, or
 - A DOR-93 for marinecraft (includes outboard motors or vessels).

NOTE: The title type must be checked as "Original", "Salvage" or "Junking".

- 2. A DOR-4579 from the municipality or county who sold the ABV. The bill of sale must include the following:
 - ✓ Indicate whether the vehicle was sold for junk, salvage, or rebuilding;
 - ✓ Purchaser's and seller's name and address;

- ✓ The year, make, identification number, and model of the ABV:
- ✓ The purchase price;
- ✓ The date of sale;
- ✓ The odometer reading, if applicable;
- ✓ Printed name and signature of the buyer; and
- ✓ Printed name and signature of the municipal/county clerk or deputy and sealed with the official municipal/county seal.

NOTE: On vehicles less than ten (10) years old, the municipality/county must provide the purchaser with a proper odometer disclosure unless the vehicle is otherwise exempt. The disclosure may be completed on the DOR-4579.

- 3. If applying for an "original" title, a completed and signed DOR-551, Exhibit G, must be submitted.
- 4. Appropriate title fee, processing fee, and state and local taxes, if applicable. If expeditious title handling is requested, submit a \$5 expeditious fee.

The purchaser of the ABV must make application for title/junking certificate within 30 days of the purchase.

Landowners that have ABV's on their property may apply for title by submitting the following documents:

- A properly completed and signed title application in the
 - A DOR-108 for motor vehicles, trailers or all-terrain vehicles, or
 - A DOR-93 for marinecraft (includes outboard motors or vessels).
- 2. Appropriate title fee, processing fee, and state and local taxes based on retail/fair market value. If expeditious title handling is

TITLING REQUIREMENTS FOR LANDOWNER'S WITH ABV's

landowner's name:

requested, submit a \$5 expeditious fee. Junking certificates are exempt from taxes and title fees

NOTE: Title penalties **do not** apply.

- 3. A signed statement containing the following:
 - ✓ The circumstances by which the ABV came into the landowner's possession;
 - ✓ The landowner's name:
 - ✓ Location of the ABV (street & city);
 - ✓ Description of the ABV (include year, make, vehicle/hull identification number); and
 - ✓ Retail/fair market value of the ABV.

NOTE: Line 7 of the *General Affidavit* (DOR-768) can be used for this purpose.

- 4. The appropriate inspection:
 - ✓ Original title on a vehicle, ATV or trailer A DOR-551 completed by Missouri State Highway Patrol or St. Louis Auto Theft.
 - ✓ Salvage title on a vehicle, ATV or trailer A DOR-551 completed by any law enforcement officer.
 - ✓ Junking Certificate on a vehicle, ATV, or trailer An Identification Number Verification and Abandoned Vehicle Inspection (DOR-2763) form, completed by any law enforcement officer.
 - ✓ Boat, motor or boat trailer A Watercraft and/or Outboard Motor Affidavit of Ownership and Inspection (DOR-798) completed by Missouri State Water Patrol.
- 5. A copy of the signed certified mail receipts (green card), at least 30 days old, indicating the owner/lienholder were sent the notice as required by law. If the certified letter is returned to sender, submit a copy of the envelope stamped "returned to sender" along with a statement from the landowner stating a good faith effort was made to locate a better address for the owner/lienholder.

6. A copy of the 30-day notice sent by certified mail to any owner/lienholder.

NOTE: If the department has "No Record" of any owner for a vehicle, the property owner must certify that a search of the vehicle disclosed no other evidence of ownership and that a good faith effort was made to establish whether the ABV was titled or licensed in another state. A good faith effort includes checking for license plates, license plate record, temporary permit, inspection sticker, decal, or other evidence that indicates possible registration or titling in another state.

Manufactured Homes

If a manufactured home is abandoned on private property, the landowner can get a title by submitting the following:

- 1. DOR-108;
- 2. One of the following for proof of ownership:
 - ✓ Bill of sale for the purchase of the land and manufactured home and a letter from the county assessor's office showing the manufactured home listed as real estate; or
 - ✓ A court order awarding the landowner if the bill of sale and letter from the county assessor is not available.
- 3. Appropriate title/processing fees and sales tax, if applicable.

OUT-OF-STATE ABV'S SOLD TO MISSOURI RESIDENTS An out-of-state ABV that was towed in accordance with that state's abandoned motor vehicle procedures must have a DOR-551 completed by the Missouri State Highway Patrol. All Missouri titles issued on the vehicle will be branded "Prior Salvage." If the inspection shows the vehicle to be in a junk condition, a junking certificate will be issued.

OBTAINING AN ORIGINAL TITLE ON ABV'S PREVIOUSLY TITLED AS SALVAGE To receive an original title, the following documents and fees must be submitted:

- 1. A completed and signed title application in the owner's name with the title type marked "Original;"
 - ✓ A DOR-108 for motor vehicles, trailers and all-terrain vehicles; or

- ✓ A DOR-93 for boats and outboard motors.
- 2. A completed and signed DOR-551;
- 3. The outstanding salvage title;
- 4. Appropriate title and processing fees; and
- 5. State and local taxes, if applicable.

Information provided in the DOR-551 determines if the title will be branded "Prior Salvage."

NOTE: The vehicle must be in running condition and repaired, if needed.

TOWING COMPANY BUSINESS OPERATION REQUIREMENTS

SECTION 4

TOW TRUCK IDENTIFICATION

A towing company that tows ABV's for hire must have the towing company's name, city, and state clearly printed in letters at least three inches in height on the sides of the truck, wrecker, or other vehicle used in the towing.

RECORD KEEPING REQUIREMENTS

Towing companies shall maintain records for three years on any ABV towed and not reclaimed by the owner. Such records must contain:

- 1. Information regarding the authorization to tow;
- 2. Copies of correspondence with the department; and
- 3. Information concerning the final disposition of the ABV.

For ABV's sold on a bill of sale for destruction purposes only, the tow company must also keep the following information for three years:

- Year, make, vehicle identification number;
- Date of sale;
- Name of the purchasing scrap metal operator or licensed salvage dealer; and
- Copies of all notification letters to the owners/lienholders and drivers.

A towing company shall not remove an ABV from private property without first obtaining written authorization from the property owner, except when authorized by a law enforcement agency. The towing company must maintain all written authorizations for at least one year from the date of authorization.

CHARGES IMPOSED

Any municipality or county may enact ordinances specifying maximum reasonable towing, storage, and other charges that can be imposed by towing/storage companies within their jurisdiction.

A towing company may only assess reasonable storage charges for ABV's towed without the consent of the owner. Reasonable storage charges shall not exceed the charges for vehicles that have been towed with the consent of the owner.

A towing company may charge no more than one-half the regular towing rate if the owner claims the ABV before it is actually towed

PERSONAL PROPERTY WITHIN THE ABV

from private property. The regular rate may be charged only after the ABV has been removed.

The towing company is not required to release personal property within the ABV to the owner until reasonable or agreed charges for such recovery, transportation, or safekeeping have been paid or satisfactory arrangements for payment have been made. The towing/storage company must either release the personal property to the owner or provide an itemized receipt for the contents after allowing the owner to inspect the property. The towing/storage company is liable for the condition and safe return of the personal property.

NOTE: Any medication prescribed by a physician must be released to the owner upon request.

TOWING COMPANY LIABILITY (Section 304.155, RSMo) The towing company is not liable for any damage caused by removal of an ABV from public property when the removal is properly authorized except for damage caused by negligence.

A towing company that lawfully removes an ABV from private property with the written authorization of the landowner/agent, who is present at the time of the removal, is not responsible in any situation relating to the authorization of the removal. The towing company is responsible for the following:

- Any damage caused by the towing company to the ABV during transit or storage; and
- 2. The removal of property other than the property specified by the landowner/agent.

Damages may be recovered by the owner of the ABV from the landowner/towing company if any damages to the ABV resulted before or during the removal of the property.

Except for the removal of ABV's authorized by a law enforcement agency, a towing company must not remove ABV's from private property without first obtaining written authorization from the property owner/agent. All written authorizations must be kept on file for at least one year. General authorization to tow at the towing company's discretion is not acceptable except in the case of ABV's unlawfully parked within 15 feet of a fire hydrant or in a fire lane designated by a fire department or the state fire marshal.

NOTE: A towing company that fails to obtain written authorization from the property owner/agent will be liable to the owner of the ABV for four times the amount of the towing and storage charges, in addition to any applicable criminal penalties that may apply.

PENALTIES FOR FAILURE TO COMPLY

Any person who knowingly violates any provision of Sections 304.155 to 304.158, RSMo, shall be guilty of a class A misdemeanor. Any violation of Section 304.158, RSMo, shall constitute a violation of the provision of Section 407.020, RSMo. A violation may also result in the revocation or suspension of the registration or license of the towing company.

OWNER'S/ LIENHOLDER'S RIGHT TO HEARING

The ABV owner/lienholder may file a petition in the associate circuit court in the county where the ABV is stored to determine if the ABV was wrongfully taken or withheld from the owner. The petition must be filed within10 days after receipt of the notification from the towing company. The petition must name the towing company among the defendants and may also name the agency that ordered the tow or the owner/agent of the private property from which the ABV was removed. A copy of the petition must be served to the director but the director is not a party to such petition.

NOTE: The director will not issue a title or a junking certificate on the ABV until the petition is finally decided.

Upon filing a petition and posting a bond in the associate circuit court, the owner/lienholder may have the ABV released. The bond may be in the form of cash, a surety bond, or other adequate security equal to the amount of the charges for towing and storage. Upon posting of the bond and the payment of the applicable fees, the court shall issue an order directing the towing company to release the ABV. At the time of release, the owner/lienholder must give a receipt to the towing company listing any claims for loss or damage to the ABV or the personal property in the ABV.

INSURANCE CLAIMS ON ABANDONED PROPERTY

If an ABV is insured and the insurer pays a total loss claim to the owner for the ABV, the insurer or lienholder must remove the property from the storage facility or make arrangements to transfer title to the towing company. Such transfer of title, subject to agreement, shall completely satisfy all claims for towing and storage. The ABV must be removed or title transferred to the towing company within 30 days of the date that the insurer paid a total loss claim or is notified of the location of the ABV, whichever is the later event. Upon request, the insurer of the ABV must supply the towing company with:

- The name, address, and phone number of the insurance company and the insured; and
- 2. A statement regarding which party is responsible for the payment of towing/storage charges under the insurance policy.

CITIES/ COUNTIES WITH ABANDONED PROPERTY ORDINANCES

Cities/counties with local ordinances that regulate the removal and sale of ABV's may sell the ABV by issuing a DOR-4579, Exhibit M. The ordinance must be consistent with Sections 304.155 to 304.158, RSMo, and the city/county must have a certification on file with the department that certifies the ordinance is in fact consistent with the laws referenced. Contact the city/county for ABV ordinance information.

NOTE: The purchaser must apply for a title or a junking certificate within 30 days of purchase.

OBTAINING ACCESS TO DEPARTMENT RECORDS

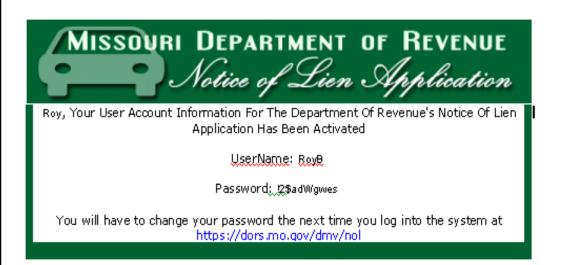
To obtain access to the department's records online you must:

- 1. Visit Missouri Department of Revenue's web site at http://dorx.mo.gov/mvdl/motorv/liendeal.
- 2. Click on the link "Request for Security Access Code (4678)" to obtain an application to apply for a security access code and print the form.
- 3. Click on the link "Application for Online Account (5017)" to obtain an application to apply for an online access account and print the form.
- 4. Complete all forms and submit to the addresses indicated on the forms.

APPLICATION APPROVAL NOTIFICATION

Upon approval of the security access, the department will send written notification informing the applicant of the security access code number.

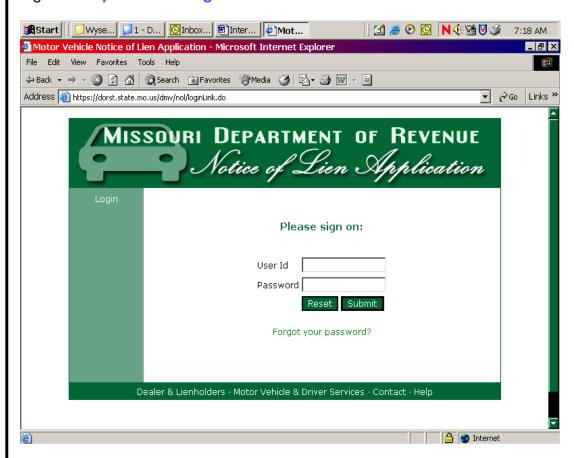
Upon approval of the online access, the department will send the following email to the applicant.



NOTE: Due to programming restrictions, online access is currently being accessed through the department's notice of lien system.

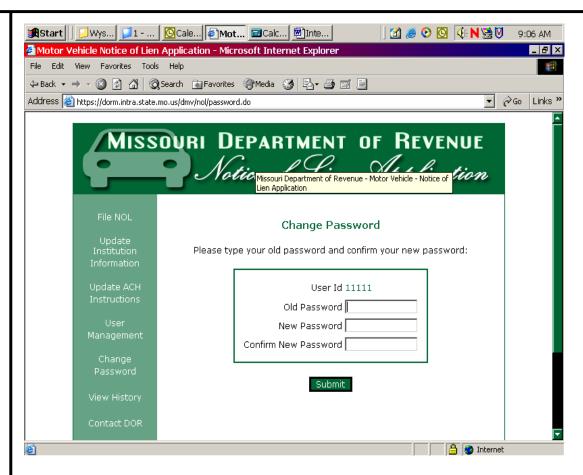
RECORD SEARCH SYSTEM LOG IN

To log into the record lookup web site to perform record searches, logon to https://dors.mo.gov/dmv/nol.



First time users: Please enter your User Id and password as indicated in the e-mail confirmation message the Department of Revenue sent to you previously. You will then be directed to change your password. The next time you login, enter your User Id and your new password. Then click on "Submit".

HOW TO CHANGE PASSWORD



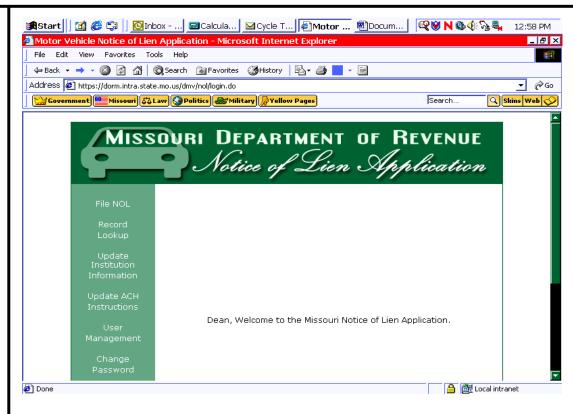
Please do the following:

- Enter your current password in the Old Password field;
- Press the Tab key;
- Enter your new password;
- Press the Tab key again;
- Re-enter your new password; and
- Click on "Submit".

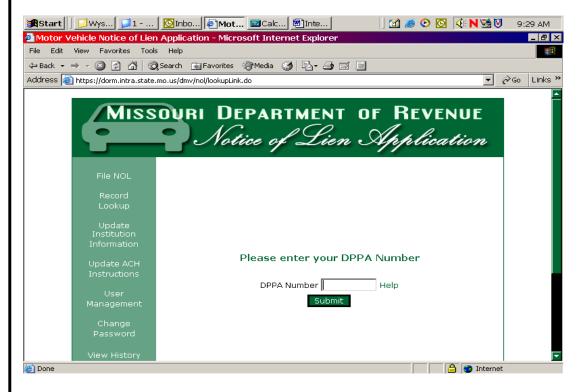
Resetting Password – If a user forgets their password he/she must contact the account administrator to reset the password. See Resetting User's Password on page 6-9.

If the administrator forgets his or her password he or she must contact DOR at (573) 751-8343.

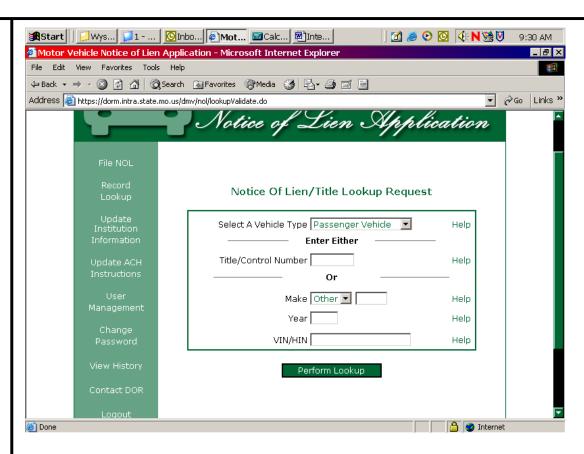
PERFORMING RECORD LOOKUPS



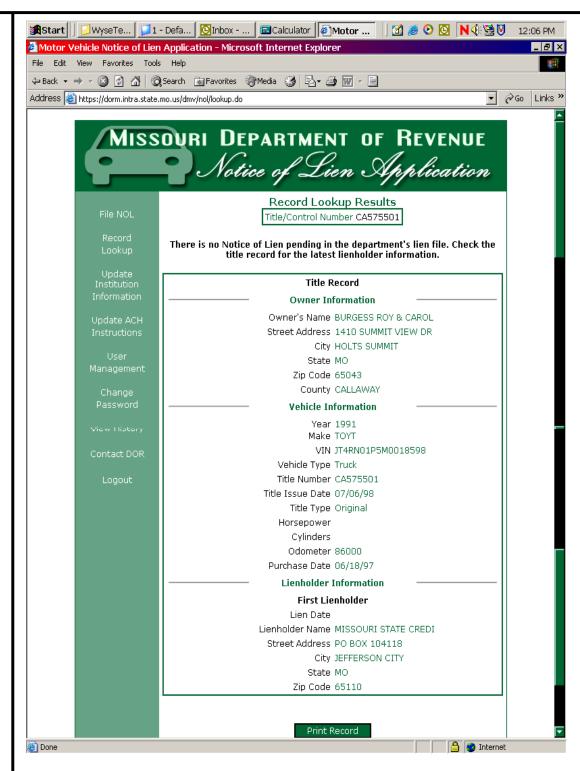
Click "Record Lookup" on the left hand side of the screen.



Enter your security access code (DPPA number) assigned to you by the department and click "Submit."



Select a vehicle type. Either enter the title/control number **or** the make, year, and VIN/HIN. Then click "Perform Lookup."



Record Look-up result.

If available, the screen will indicate the latest owner/lienholder in the department's records. This screen must be printed as outlined in titling requirements.

NOTE: No license plate or other registration information is available online.

NO RECORD FOUND

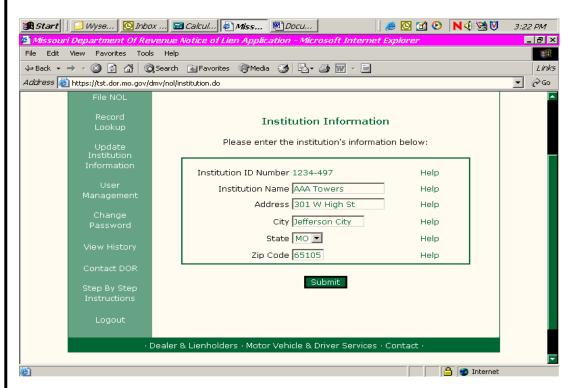
If there is no record found, you must sign and submit a printed "Record Lookup Results" screen along with the tow report to the department for further research, as there may be a record in DOR's microfiche.

NOTE: Record any additional information from your search in the designated area of the screen print.

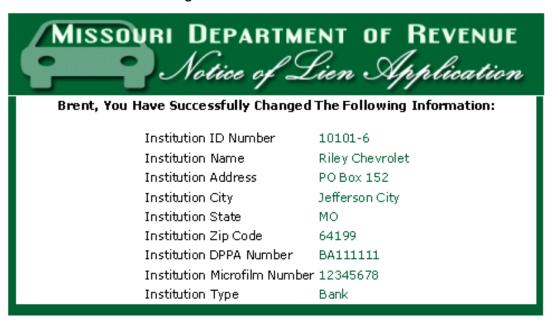
ACCOUNT ADMINISTRATION INSTRUCTIONS

After logging into the record lookup system, click on "Update Institution Information".

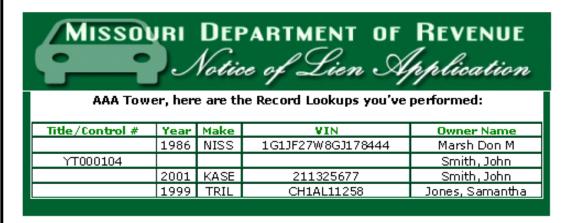
Change the required information and click on "Submit".



You should receive a confirmation screen by email that informs you the information was changed.



DAILY E-MAIL NOTIFICATION



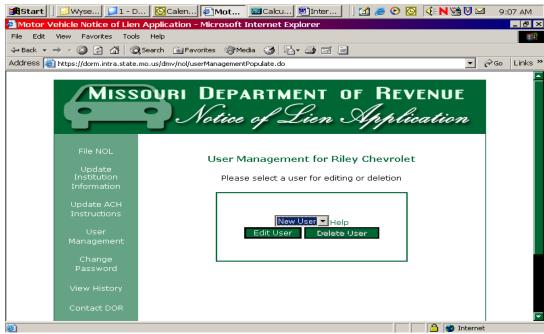
All users and the account administrators will receive a daily e-mail screen listing the record lookups performed.

ADDING USERS TO ACCOUNT

After logging into the record lookup system, click on "User Management".

Only the account's administrator has access to add/delete users.

From the drop down table, please select which user you want to delete or change. If you want to add a new user, select "New User" from the table and then click "Edit User."



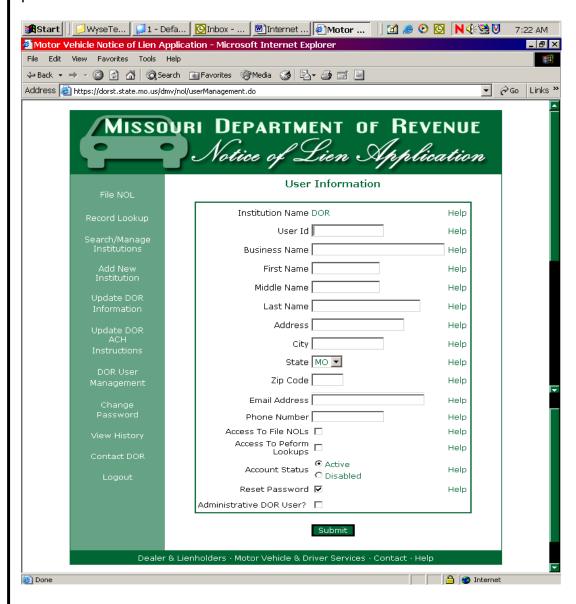
Enter all user information requested above. Click "Submit" after all information is completed.

The information that you add or change will allow the user to perform record lookups. You can activate or disable the user's access or reset the user's password from this screen.

NOTE: The Reset Password box must be checked when adding a new user.

RESETTING A USER'S PASSWORD

To reset the user's password, place a check mark in the Reset Password box and click "Submit." The user's newly generated password will be received via email.



CONTACTING THE DEPARTMENT

After logging onto the system, click on "Contact DOR".

Please select the subject from the drop down table and enter your comments in the e-mail content space. Then click on "Submit Email". You should receive a screen indicating the message was sent successfully. The appropriate staff member will respond to you.

EXHIBIT A

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EXHIBIT A (Cont'd.)

CRIME INQUIRY AND INSPECTION REPORT/AUTHORIZATION TO TOW (DOR-4569) INSTRUCTIONS

HE OLPARIMENT OF REPLACE PLOURES ALL THAT SHADED AREAS BE COMPLETED.

- · Law enforcement completes this form and obtains all signatures and dates;
- · Law enforcement retains a copy to be kept in their files;
- Law enforcement sends original DOR-4569 to Department of Revenue (department) if property remains unclaimed after 10 days and the
 tow company does not have online access to department records;
- · Tow companies retain a copy of DOR-4569 to be retained for three years;
- · Tow company must notify the department in writing of any address change;
- Tow companies with online record access must check the department records online for owner and lienholder information;
- If tow company does not find owner or lienholder information using the online record check, the tow company must send a copy of the completed "No Record" screen from the online record search and a copy of DOR-4569 to the following address for further research: DRIVER AND VEHICLE SERVICES BUREAU

RECORD CENTER

PO BOX 100

JEFFERSON CITY MO 65105-0100

- The department will perform a record search for the name and address of the owner and lienholder of record within five working days of
 receipt of the DOR-4569 submitted by law enforcement or the DOR-4569 and "No Record" screen from the online record search submitted by the tow company. A department search will be done by:
 - 1) searching the department files; or
- 2) initiating an inquiry with another state if the evidence presented indicates the abandoned property was registered or titled in another state.
- The department will send a notification letter to the towing company within 15 working days after the search is completed with the following information:
 - 1) the name and address of the owner and lienholder of record; or
- 2) instructions if there is no record information available (please see below).

NO INFORMATION FOUND ON RECORD NOTIFICATION RECEIVED

If the department has no record of the abandoned property, the towing company must certify that a physical search of the abandoned property disclosed no other evidence of ownership. The towing company must also certify that a good faith effort was made to establish the prior state of registration and title by checking the items below:

- the abandoned property for any type of license plates, license plate record, temporary permit, inspection sticker, decal, or other evidence that may indicate a state of possible registration and title;
- 2) the law enforcement report for a license plate number or registration number if the abandoned property was towed at the request of a law enforcement agency:
- the tow ticket/report of the tow truck operator to see if a license plate was on the abandoned property at the beginning of the tow, if a private tow; and
- the law enforcement report to see if an address is indicated on the driver license information if there is no address of the owner on the impound report.

NOTE: The department will provide the tower with a notification letter (MVB-346) to certify the above checks have been made. This certification must accompany the application for title.

HOW TO APPLY FOR ORIGINAL. SALVAGE OR JUNK ABANDONED PROPERTY TH

Send ALL abandoned title applications to: Department of Revenue, Central Branch, P. O. Box 100, Jefferson City, MO 65105

Please submit the following when applying for a title for an abandoned vehicle otherwise it will be rejected:

- 1) application for title with appropriate fees, properly completed in the towing company's name. The title type must be marked "Original", "Salvage", or "Junking Certificate" (Tow company not required to pay title fee or sales tax.);
- 2) Abandoned Property Affidavit (DOR-4576) properly completed, signed by the tower, and notarized by a notary public;
- 3) a copy of the Vehicle Owner and Lienholder Notification (DOR-4577) issued to any owner and lienholder of record. This must be sent by certified mail;
- a copy of the certified mail return receipt(s) at least 30 days old, indicating all owners and lienholders of record, if applicable, have been sent DOR-4577 (see 3 above);
- 5) a copy of the notification the Department of Revenue issued to the towing company or a copy of the "Record Lookup Results" screen from the online record search;
- 6) a completed and signed Vehicle Examination Certificate (DOR-551), if applying for an "Original" title (contact the nearest Highway Patrol Headquarters for vehicle inspection); and
- 7) Crime Inquiry and Inspection Report/Authorization to Tow (DOR-4569) completed by authorized law enforcement.

IMPORTANT: MILEAGE MUST BE SHOWN ON THE APPLICATION FOR TITLE FOR VEHICLES LESS THAN 10 YEARS OLD. IF THE MILEAGE IS UNOBTAINABLE write in an estimated mileage and a statement at the bottom of the application that mileage is only estimated. Complete and attach affidavit Odometer Disclosure Statement (DOR-3019) and include the reason for mileage estimate: fire, digital dash inoperable, or other. THIS MUST ACCOMPANY THE APPLICATION FOR TITLE.

If you have any questions call (573) 751-4509 or visit our web site www.dor.mo.gov/mvdl.

MO 860-2695 (11-04)

EXHIBIT B



MISSOURI DEPARTMENT OF REVENUE DRIVER AND VEHICLE SERVICES BUREAU PO BOX 100, JEFFERSON CITY MO 65105-0100 (573) 751-4509 www.dor.mo.gov/mvdl ABANDONED PROPERTY REPORT

4669

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MO 660-2736 (10-04) DISTRIBUTION: WHITE-TOWNS COMPANY SUBMITS TO DOR IF PROPERTY UNCLASSED AND TOWER HAS NO ONLINE ACCESS TO DOR RECORDS
GREEN - LAW ENFORCEMENT RETAINS CAMARY - TOWNS COMPANY SUBMITS TO EVER WITH TITLE APP. PINK - TOWNS COMPANY RETAINS. GOLDENDO - STORAGE COMPANY RETAINS.

EXHIBIT B (Cont'd.)

BANDONED PROPERTY REPORT (DOR-4669) INSTRUCTION

- Owner, lessee, or property/security manager completes and signs this form;
- Towing company completes, signs, and delivers this report to the law enforcement agency within 2 hours of the tow if reason 1 is checked on front or within twenty-four hours for all other tows:
- Law enforcement officer completes and signs this form and retains a copy for their files;
- Towing company sends the original DOR-4669 to the Missouri Department of Revenue (department) if property remains unclaimed after 10 days and the tow company does not have online access to department records;
- Towing company retains the pink copy of the DOR-4669 for three years;
- Towing company must notify the department in writing of any address change;
- Towing companies with online record access must check department records online for owner and lienholder information;
- If the towing company does not find owner or lienholder information using the online record check, the towing company must send a copy of the completed "No Record" screen from the online record search and the DOR-4669 to the following address for further research: DRIVER AND VEHICLE SERVICES BUREAU

RECORD CENTER

PO BOX 100

JEFFERSON CITY MO 65105-0100

- The department will perform a record search for the name and address of the owner and lienholder of record within five working days of receipt of the DOR-4669 submitted by tow company (no online access) or a completed "No Record" screen from the online record search and the DOR-4669 submitted by the towing company (with online access). A department search will be done by:
 - 1) Searching the department flies; or
- 2) Initiating an inquiry with another state if the evidence presented indicates the abandoned property was registered or titled in another state. The department will send a notification letter to the towing company within 15 working days after the search is completed with the following.
- The name and address of the owner and ilenholder; or
 Instructions if there is no record information available (please see below).
- Towing company must send a completed Vehicle Owner and Lienholder Notification (DOR-4577) by certified mail, return receipt requested within 10 days to the owner/lienholder as provided from the department records.

If the department has no record of the abandoned property, the towing company must certify that a physical search of the abandoned property disclosed no other evidence of ownership. The towing company must also certify that a good faith effort was made to establish the prior state of registration and title by checking the Items below

- 1) The abandoned property for any type of license plates, license plate record, temporary permit, inspection sticker, decal, or other evidence
- that may indicate a state of possible registration and title;
 2) The tow ticket/report of the tow operator to see if a license plate was on the abandoned property at the beginning of the tow;
- 3) The tow ticketireport of the tow operator to see if a license plate was on the abandoned property at the beginning of the tow, if a private tow: and
- The tow ticket/report of the tow operator to see if an address is indicated on the driver license information if there is no address of the

NOTE: The department will provide the tower with a notification letter to certify the above checks have been made. This certification must accompany the application for title.

HOW TO APPLY FOR ORIGINAL. SALVAGE, OR JUNK ABANDONED PROPERTY TITLES

Send ALL title applications on abandoned property to: Department of Revenue, Central Branch, P.O. Box 100, Jefferson City MO 65105

Submit the following when applying for a title for an abandoned vehicle:

- Application for title with appropriate fees, properly completed in the towing company's name. The title type must be marked "Original", "Salvage", or "Junking Certificate" (Tow company not required to pay title fee or sales tax.);
- 2) Abandoned Property Affidavit (DOR-4576) properly completed, signed by the tower, and notarized by a notary public;
- 3) A copy of the Vehicle Owner and Lienholder Notification (DOR-4577) issued to any owner and lienholder of record. This must be sent by
- 4) A copy of the certified mall return receipt(s) at least 30 days old, indicating all owners and lienholders of record, if applicable, have been sent DOR-4577 (see 3 above): 5) A copy of the notification the Department of Revenue issued to the towing company or a copy of the "Record Lookup Results" screen from
- the online record search; 6) A completed and signed Vehicle Examination Certificate (DOR-551), if applying for an "Original" title (contact the nearest Highway Patrol
- Headquarters for vehicle Inspection); and 7) Abandoned Property Report (DOR-4669) completed by owner, lessee, property/security manager, tow company, and law enforcement

IMPORTANT: MILEAGE MUST BE SHOWN ON THE APPLICATION FOR TITLE FOR VEHICLES LESS THAN 10 YEARS OLD. IF THE MILEAGE IS UNOBTAINABLE, write in an estimated mileage and a statement at the bottom of the application that mileage is <u>only estimated.</u> Complete and attach an Odometer Disclosure Statement (DOR-3019) and include the reason for mileage estimate: fire, digital dash Inoperable, or other. THIS MUST ACCOMPANY THE APPLICATION FOR TITLE.

EXHIBIT C

	MISSOURI DEDA	RTMENT OF REVEN	HE	
DRIVER AND VEHICLE SERVICES BUREAU				FORM
		NER AND LIENH		4577
	NOTIFICATION			
[DWNER			(REV. 9-04)
1	DWINER			
s	STREET ADDRESS			TITLE HOLDER: YOU MUST ACT TO PROTECT YOUR TITLE
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Т	OWING COMPANY			
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'	OWER'S ADDRESS			TELEPHONE NUMBER
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A	GENCY THAT AUTHORIZED THE TOW			
L				
	You must make arranger	nents to pay the t	owina cost	s of \$ and storage costs of \$
	per day within thirty (30)	days or the towing	g company	may obtain a certificate of ownership/title to the abandoned
	property or sell the property	erty on a bill of sa	le to a scra	p metal operator or licensed salvage dealer for destruction.
	Section 304.156, RSMo, s	tates the amount of	f the accrue	d towing, storage and administrative costs are the responsibility
	of the owner, and storage a	and/or administrative	e costs will c	continue to accrue as a legal liability of the owner until abandoned
	property is redeemed. The	towing company cl	laims a poss	sessory lien for all such charges.
	You as the owner or the lie	enholder may retak	e possessio	on of the abandoned property at any time during business hours
	by proving ownership or rig	ts to a secured in	terest and p	paying all towing and storage charges.
	If you as the owner consid	ler the towing or re	moval was	improper or not legally justified, you have the right to request a
	hearing to contest the prop	oriety of such towing	g or remova	al. To contest the towing or removal you must within ten days of
	receipt of this notice file a p	etition in the associ	iate court in	the county where the abandoned property is stored to determine
	current lessee authorizing	the tow as defends	en or withne	eld. The petition must have the towing company and agency or rector of Revenue is not a defendant but must be served with a
	copy of such petition.	the tow as defenda	ints. The Dir	rector of nevertide is not a defendant but must be served with a
	Any charges in excess of	the value of the ab	andanad ar	oports, of the time of each twenter shall accord a 11 (19).
	owner.	ine value of the ab	andoned pro	operty at the time of such transfer shall remain a liability of the
		ing componit -+ +-		ahaum ahaus an adi da talada a a a a a a
	Send payment to the tow	ing company at th	e address :	shown above or call the telephone number listed.
SIC	GNATURE OF TOWER			
N 1 -	OTE TO TOWING COMPANY			
N	OTE TO TOWING COMPANY:	<u>: </u>		

Titling abandoned property – You must issue this notice to the owner and lienholder of record of the abandoned property via certified mail. You must submit a copy of this notification and a copy of the certified mail receipts when applying for a title.

Selling abandoned property for destruction to a scrap metal operator or licensed salvage dealer - You must issue this notice to the owner and lienholder of record of the abandoned property via certified mail. If after 30 days the property remains unredeemed, you may sell the property on a Bill of Sale (DOR-1957) to a scrap metal operator or licensed salvage dealer for destruction. You must submit a copy of the Bill of Sale (DOR-1957) to the Missouri Department of Revenue within two weeks of the sale.

WEB SITE ADDRESS: www.dor.mo.gov/mvdl

EXHIBIT D

DIVISION OF MOTOR VEHICLE AND DRIVERS LICENSING DRIVER AND VEHICLE SERVICES BUREAU RECORD CENTER UNIT P O BOX 100 JEFFERSON CITY MO 65105-0100

STATE OF MISSOURI

Department of Revenue





XXXXXXXX XXXXXX XX

February 18, 2005

Tow Authorized By:

RE: ABANDONED PROPERTY

2005 XXXXX, IDENTIFICATION # XXXXXXXX - TOW # XXXXX

Dear Tower:

The Driver and Vehicle Services Bureau (DVSB) received a tow report on the above referenced property. By Missouri law, we are required to notify you of the last registered owner(s) and lienholder(s). In checking our records with the information provided, we found no record of this abandoned property.

Our records indicate that xxxxx authorized the tow of this abandoned property. If this is \underline{not} correct, please record the name of the person who authorized the tow and the date of the tow.

Date of Tow:
Examine the adandoned property, law enforcement inspection report, and tow report for the following and record or correct the information below:
Year: 2005 Make: XXXXX VIN: XXXXXXXX
License: State: Inspection/Permit: Other:
Name and address of owner listed on tow report:
Name and address of lienholder listed on tow report:
Name and address of driver listed on tow report:

EXHIBIT D (Cont'd.)

XXXXXXX FEBRUARY 18, 2005 PAGE 2

Please mark the appropriate box below, sign and date where indicated.
I HAVE COMPLETED THE NECESSARY CHECKS, COMPLIED WITH THE INSTRUCTIONS AND PROVIDED ANY NEW OR CORRECTED INFORMATION.
RETURN THIS SIGNED LETTER WITHIN 15 DAYS TO: Driver and Vehicle Services Bureau Attn: Abandoned Vehicle Search - Record Center, Post Office Box 100, Jefferson City, MC 65101-0100, so we may continue our search using the new or corrected information.
□ NO ADDITIONAL INFORMATION WAS FOUND.
If the above checks resulted in no new or corrected information, you may apply for title by submitting the following information to: Driver and Vehicle Services Bureau, Attn Abandoned Property Desk - Central Branch Section, Post Office Box 100, Jefferson City Missouri 65105-0100:
1. Copy of this signed letter;
2. Application for Missouri Title and License (DOR-108) marked original, salvage, or junk;
NOTE: Vehicle Examination Certificate (DOR-551) - only when applying for an origina title.
 Legible copy of the tow report (you will be required to notify any owner or lienholde listed on the tow report); and
NOTE: If no owner or lienholder is shown, you must notify the driver. If no owner lienholder or driver is listed, you must indicate on the abandoned property affidavit that a good faith effort has been made to locate and notify the owner and lienholder of the vehicle.
4. Abandoned Property Affidavit (DOR-4576) completed, signed, and notarized.
NOTE: If there is no record of an owner, lienholder, or driver or if any of the notification letters were returned to the tow company, the box in section B must be marked showing a good faith effort was made to locate and notify the owner, lienholder, o driver.
NOTE: You may request the necessary forms by telephone, mail, or internet.
SIGNATURE: DATE:

EXHIBIT D (Cont'd.)

XXXXXXX **FEBRUARY 18, 2005** PAGE 3

Thank you for your cooperation in this matter. If you have any questions, please contact Customer Service by calling (573) 751-4509 or you may e-mail or write to the address indicated on our letterhead.

Sincerely,

Finida F. Johnson, Supervisor Record Center

DU1929/NICOLE

MVB346 200504900301075

EXHIBIT E

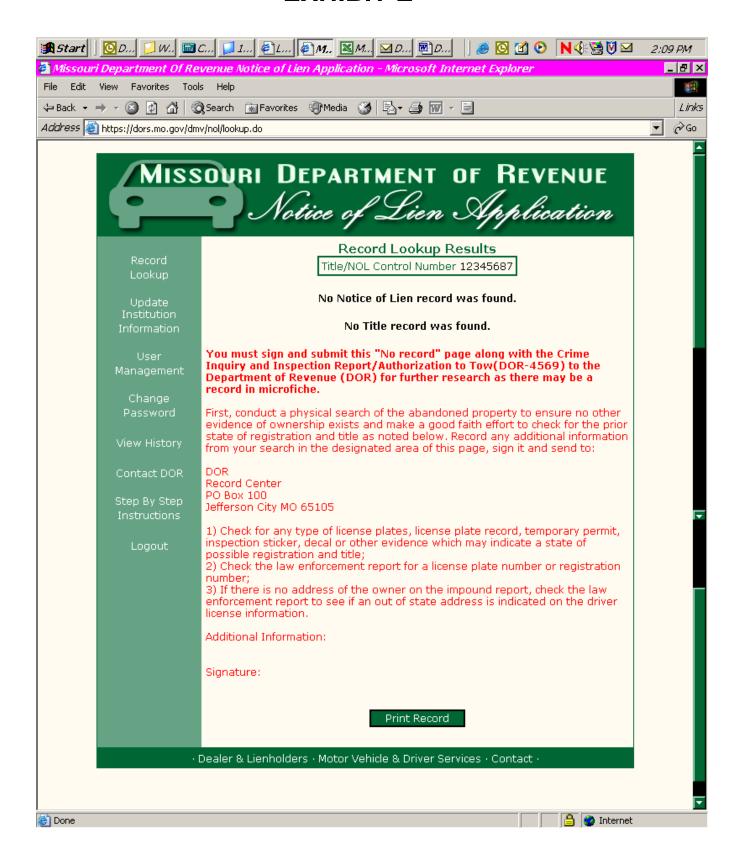


EXHIBIT F



MISSOURI DEPARTMENT OF REVENUE DRIVER AND VEHICLE SERVICES BUREAU P O BOX 100 JEFFERSON CITY MO 65105-0100

FORM **4576** (REV. 12-03)

ABANDONED PROPERTY AFFIDAVIT

Section 304.156 RSMo, provides that thirty (30) days after a notification form has been mailed to the abandoned property owner and lienholder, if applicable, and the property is unredeemed and no satisfactory arrangement has been made with the lienholder in possession for continued storage, and the owner or lienholder, if applicable, has not requested a hearing as provided, the lienholder in possession may apply to the Director of Revenue for an original title, salvage certificate of title designated with the words "Salvage/Abandoned Property" or junking certificate based on the condition of the abandoned property. This affidavit must accompany the transaction with Sections A, B, and D completed. See checklist on reverse for other requirements.

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SECTION B	at least 30 storage cha Check the The no Unknow of owne was se 1. The oth 2. The req 3. The the	days and the overges. I have not following only office to the own wn." My signaturership and that arched: e abandoned proper evidence while alaw enforcement of a law ere tow ticket/reportow, if a private	wher of the ast been notified if applicable	abandone ed of any e: holder o davit cer effort ha ny type of cate a po r a licens agency; r truck op	ed property or I application for f the abandone tifies that a phy- s been perform license plates, assible registrat e plate number are ator to see if	ienholder have hearing as pro- ed property hasical search of led to establish license plate rion and title in or registration a license plate	we been in possession of the enot made arrangements for possession of the enot made arrangements for possession and the second the abandoned property discount the prior state of registration eccord, temporary permit, instanother state; number if the abandoned property discount the driver license is	r payment SMo. vardable" closed no on and title pection started to perty was perty at the second started to t	or "Addressee other evidence at the following cicker, decal, or as towed at the the beginning of
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MO 860-2696 (12-03)

EXHIBIT G



MISSOURI DEPARTMENT OF REVENUE DRIVER AND VEHICLE SERVICES BUREAU PO BOX 3325, JEFFERSQN CITY, MO 65105-3325 (573) 751-2609 www.dor.mo.gov/mvdl

551

ALL BILLS OF SALE FOR PARTS LISTED MUST BE IN APPLICANT'S NAME AND MUST ACCOMPANY THIS FORM WHEN SUBMITTED TO THE

VEHICLE E	XAMINATIC	N CERTIFICATE			MENT OF REVENUE FOR TITLE. THE CENTRAL OFFICE ONLY.	. THIS FORM ML
APPLICANT			VALIDATION ONLY			
1. APPLICANT'S NAME (VEHICLE OWNE	ER)					
2. STREET ADDRESS			_			
C. OTTLET ADDITION						
3. CITY	4. STATE	5. ZIP CODE	6. TELEPHONE NUMBER	7. SALV	AGE BUSINESS NO /DEALER NO) (IE APPLICABL
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PART REPLACED	YEAR	The state of the s	SERIAL NUMB	REVERSE SIDE	TITLE NUMBER	STATE
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27. CONDITION OF ABANDONED PROPER	RTY		- MOTOR ENGINE		GED/UNREPAIRED - SALVAGE TI	
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DISTRIBUTION: WHITE - APPLICANT SUBMIT TO REVENUE CANARY - EXAMINING OFFICER PINK - CUSTOMER GOLDENROD - OFFICE AUDIT COPY

EXHIBIT G (Cont'd.)

FORM 551

"Any false statement in this application is a violation of the law and may be punished by fine or imprisonment or both." (301.420 RSMo)

This examination form (DOR-551) expires six months from completion, and must be completed in the following situations:

- 1. When converting a salvage title into an original title; (branded)
- 2. When obtaining a new vehicle identification number on a motor vehicle;
- 3. When the motor vehicle qualifies as a rebuilt, reconstructed, specially constructed, motor change, kit, or NON-USA-STD motor vehicle
- 4. When an out-of-state vehicle has a previous salvage title record in Missouri, if applicable; and
- 5. When applying for an original title on abandoned property and on any other vehicle as the director may require.

PLEASE REVIEW THE DEFINITIONS BELOW TO DETERMINE HOW YOUR MOTOR VEHICLE WILL BE CLASSIFIED AND TITLED.

REBUILT MOTOR VEHICLE - A motor vehicle which has been repaired or restored to its original appearance and design by means of repaired sheet metal and/or by replacement of new or major parts such as the bumper, hood, fender, grille, trunk lid, and doors of the same vehicle make, model, or description, excluding major component parts (see definition of major component parts below). The title will be issued for a rebuilt motor vehicle which conforms to this definition. The title will be branded "PRIOR SALVAGE".

RECONSTRUCTED MOTOR VEHICLE - A vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles. The title will be branded "PRIOR SALVAGE" or "RECONSTRUCTED MOTOR VEHICLE".

MOTOR CHANGE VEHICLE - A vehicle manufactured prior to August 1957, which receives a new, rebuilt, or used engine, and which used the number stamped on the original engine as the vehicle identification number. The title will be branded "MOTOR CHANGE VEHICLE"

SPECIALLY CONSTRUCTED MOTOR VEHICLE - A motor vehicle which has not been originally constructed under a distinctive name, make, model, or type by a manufacturer of motor vehicles (EXAMPLE - DUNE BUGGY). The term "specially constructed motor vehicle" includes kit vehicles. The Missouri Certificate of Title issued will be stamped "SPECIALLY CONSTRUCTED MOTOR VEHICLE".

KIT MOTOR VEHICLE - A motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a "glider kit" or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin. The "kit" may include the cab, drive train, etc. The Missouri Certificate of Title issued will be stamped "SPECIALLY CONSTRUCTED MOTOR VEHICLE".

NON-USA-STD MOTOR VEHICLE - A motor vehicle not originally manufactured in compliance with United States emissions or safety standards. The title will be branded "NON USA STD MOTOR VEHICLE."

MAJOR COMPONENT PARTS

INCLUDE THE FOLLOWING PARTS OF A MOTOR VEHICLE:

- 1. COWL sheet metal formed by severing the vehicle across the floor in the vicinity of the front seat, severing the windshield posts (not including removing the parts forward of the firewall).
- 2. REAR CLIP the complete rear sheet metal assembly formed by severing the vehicle across the floor and either through the windshield post or through the rear window post.
- 3. FRAME the steel basic structure which runs the entire length of the vehicle onto which the suspension parts are bolted to the lower side and the body is bolted to the top side.
- 4. BODY the shell, either of a unibody or frame-type passenger vehicle, which consists of a one-piece, integrated sheet metal construction extending from the firewall back. The body includes a cowl but not a front-end assembly. It may or may not include an interior, doors, and
- 5. CAB the passenger compartment of a common truck. It is a one-piece sheet metal construction which may or may not include glass, instrumentation, steering column, and seat.
- 6. FRONT CLIP all parts of the front end assembly plus complete cowl, and may include instrumentation and steering column. Requires cutting of floor and windshield post.
- 7. FRONT END ASSEMBLY an entire unit consisting of that portion of the body from the firewall forward (i.e., hood, both fenders, inner skirt or fenders, radiator or core support, grille.)

MAJOR COMPONENT PARTS - MOTORCYCLE

INCLUDE THE FOLLOWING PARTS OF A MOTORCYCLE:

- 1. FRAME the basic skeletal structure onto which the major and/or essential* component parts are secured for the construction and completion of the vehicle.
- 2. MOTOR
- 3. TRANSMISSION

*ESSENTIAL COMPONENT PARTS - driveline parts, fenders, gas tank, or suspension parts.

These definitions are subject to change. The Missouri Department of Revenue's current Administrative Rule on this subject shall control.

RETURN TO:

MISSOURI DEPARTMENT OF REVENUE

DRIVER AND VEHICLE SERVICES BUREAU PO BOX 3325 OR PO BOX 3310 (QUICK TITLE)

JEFFERSON CITY MO 65105-3325

- 1. Title Application;
- 2. Title, Assigned Title, or Manufacturer's Certificate of Origin;
- 3. 551 Inspection Form;
- 4. Notarized Bill of Sale and copies of front and back of title for each major component part replaced;
- 5. Receipt or Bill of Sale for parts listed on line 9 of this form, and 6. Check or money order for title fee, processing fees, and taxes owed.

THE MISSOURI DEPARTMENT OF REVENUE MAY ELECTRONICALLY RESUBMIT CHECKS RETURNED FOR INSUFFICIENT OR UNCOLLECTED FUNDS

860-0113 (4-04)

EXHIBIT H



FORM

REPLACEMENT PLATE CONTROL NO.

Obi		TRAILER ID	ENTIFICAT	PLACEMENT ION NUMBE			ESSEL/	923 (REV. 2-03)		
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EXHIBIT H (Cont'd.)

INSTRUCTIONS TO APPLICANT - READ CAREFULLY

This form is to be used when a vehicle/vessel/trailer identification number plate needs to be replaced.

"Any false statement in this application is a violation of the law and may be punished by fine or imprisonment or both" (301.420 RSMo).

- 1. Print or typewrite with black ink.
- Before the application can be accepted by the Missouri Department of Revenue, an examination to determine the true identity of the vehicle must be made only by the authorized law enforcement, the Missouri State Highway Patrol, or a member of the St. Louis City or County Auto Theft Unit.
- 3. This application will not be accepted by any Missouri Department of Revenue Branch or Fee Agent office. The first three copies, accompanied by a \$7.50 fee, any applicable processing fees, and a photocopy of the front and back of the **Missouri title in the applicant's name**, if applicable, must be mailed directly to the following address:

DRIVER AND VEHICLE SERVICES BUREAU PO BOX 3325 JEFFERSON CITY MO 65105-3325

The fourth copy will be retained by the inspecting agency.

DO NOT SEND CASH. Checks or money orders may be accepted as payment. Make the check or money order payable to: Missouri Department of Revenue. The check must be preprinted with the check writer's name and address, bank code and account number. It must also include the following information regarding the check writer:

- 1. Driver license or non-driver license number;
- 2. Date of birth; and
- 3. Daytime phone number.

THE MISSOURI DEPARTMENT OF REVENUE MAY ELECTRONICALLY RESUBMIT CHECKS RETURNED FOR INSUFFICIENT OR UNCOLLECTED FUNDS. Other restrictions may also apply.

4. The replacement identification number plate will be forwarded to the applicable agency (as listed in paragraph 2) for proper attachment to the unit. The agency will contact the owner for an appointment to attach the plate to the unit.

MO 860-0315 (2-03)

EXHIBIT I



MISSOURI DEPARTMENT OF REVENUE DRIVER AND VEHICLE SERVICES BUREAU 301 W HIGH STREET, ROOM 370, PO BOX 100 JEFFERSON CITY, MISSOURI 65105

www.dor.mo.gov/mvdl BILL OF SALF/FVFN - TRADE BILL OF SALF

FORM 1957

QUESTIONS SHOULD BE REFERRED TO (573) 751-4509

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MO 860-0398 (10-04)

EXHIBIT J

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DISTRIBUTION: WHITE - Property Control Officer CANARY - Troop PINK - Division of Drug and Crime Control GOLD - Extra (towing co.)

NOTICE: Submit machine copy of original to DOR on all abandoned property, as defined in Section 304.001, unclaimed within 10 working days.

EXHIBIT K

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 	A. Signature X
	3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
Article Number (Transfer from service label)	
PS Form 3811 August 2001 Domestic F	Return Receipt 102595-02-M-1540

EXHIBIT L

USPS - Track & Confirm Page 1 of 1



Track & Confirm Current Status You entered 7004 1350 0001 1791 7882 Your item was delivered at 3:36 pm on December 13, 2004 in CAPE GIRARDEAU, MO 63701. Shipment Details > Track & Confirm Enter label number: Track & Confirm Enter label number: Track & Confirm FAQs Notification Options Track & Confirm by email What is this? PostAL INSPECTORS Proserving the Trust Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy



 $http://trkcnfrm1.smi.usps.com/netdata-cgi/db2www/cbd_243.d2w/output$

12/29/2004

EXHIBIT M



MO 860-2698 (4-04)

MISSOURI DEPARTMENT OF REVENUE DRIVER AND VEHICLE SERVICES BUREAU P O BOX 100 JEFFERSON CITY MO 65105-0100 (573) 751-4509 www.dor.mo.gov/mvdl **ABANDONED PROPERTY BILL OF SALE**

FORM 4579 (REV. 4-04)

This form is for use by cities/counties that have filed a statement with the Missouri Department of Revenue certifying that they have an ordinance regulating the sale of abandoned property that is consistent with Sections 304.155 to 304.158 of Missouri law. The city/county clerk/deputy must complete all applicable

information, sign in the designated area and affix the city/county seal. The purchaser must sign this form in the appropriate area. ALL vehicles (motor vehicles, trailers, boats, outboard motors or all-terrain vehicles) sold on an Abandoned Property Bill of Sale will receive an original title, salvage title, or junking certificate. The purchaser of this abandoned property, must make application within 30 days of purchase. The seller must check one of This vehicle is being sold as Junk or Parts. A junking certificate will be issued. No title fee or taxes are due. (See checklist on back.) This vehicle is being sold as salvage. A salvage title will be issued. An \$8.50 title fee and state and local taxes are due. A \$2.50 processing fee must also be included. This vehicle requires no repair or is rebuildable. An original title will be issued. A Vehicle Examination Certificate (DOR-551 form) must be submitted to obtain an original title, in addition to an \$8.50 title fee and state and local taxes, if applicable. A \$2.50 processing fee must also be included. See reverse for additional information. PURCHASER(S) NAME ADDRESS CITY STATE ZIP CODE SELLER (CITY/COUNTY) ADDRESS OF CITY/COUNTY OFFICE STATE ZIP CODE ABANDONED PROPERTY DESCRIPTION SALE DATE IDENTIFICATION NUMBER PURCHASE PRICE YEAR MODEL MAKE ODOMETER READING (NO TENTHS) I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked. Mileage in excess of its mechanical limits Mileage reading not actual (WARNING, ODOMETER DISCREPANCY) SIGNATURE OF PURCHASER(S) SIGNATURE OF MUNICIPAL/COUNTY CLERK OR DEPUTY PRINTED NAME OF SELLER PRINTED NAME(S) OF PURCHASER(S) AFFIX MUNICIPAL OR COUNTY SEAL HERE Federal law (and State law, if applicable) requires that you state the mileage upon transfer of ownership. Failing to complete or providing a false statement may result in fines and/or imprisonment.

E-19

EXHIBIT M (Cont'd.)

To avoid title penalty fees, you must apply for a "Salvage" or "Original" title or a "Junking Certificate" within:

- a. 30 days from the date of purchase for motor vehicles, trailers and all-terrain vehicles. Delinquent applications will be assessed a \$25 title penalty for each 30 days of delinquency, not to exceed \$200; or
- b. **60 days** from the date of purchase for **boats and outboard motors**. Delinquent applications will be assessed a \$10 title penalty for each 30 days of delinquency, not to exceed \$30.

Note: A title penalty fee is not charged when applying for a "Junking Certificate."

Below are checklists outlining the documents and fees needed to title your newly purchased abandoned property.

CHECKLIST FOR AN "ORIGINAL" OR A "SAL\	VAGE" TITLE
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	An application for title properly completed in your (purchaser's) name(s). The title type must be marked "Salvage" or "Original" title;
	-An Application for Title and License (DOR-108) for motor vehicles, motorcycles, trailers and all-terrain vehicles; OR
	-An Application for Missouri Watercraft or Outboard Motor Title and Registration (DOR-93) for boats and outboard motors.
	This bill of sale completed and issued by the city or county that sold the abandoned property in accordance with its local ordinance;
	A completed and signed Vehicle Examination Certificate (DOR-551) if applying for an "original" title;
	Title penalty fees, if applicable;
	An \$8.50 title fee; and NOTE: The Missouri Department of Revenue may electronically resubmit checks returned for insufficient or uncollected funds.
	A \$2.50 processing fee must also be included.
	State and local taxes unless tax exempt, e.g., you are a registered dealer, leasing company, etc.
CHECKLIST FOR A "JUNKING CERTIFICATE"	
	An application for junking certificate properly completed in your (purchaser's) name(s). The title type must be marked "Junk" and
	-An Application for Title and License (DOR-108) for motor vehicles, motorcycles, trailers and all-terrain vehicles; OR
	-An Application for Missouri Watercraft or Outboard Motor Title and Registration (DOR-93) for boats and outboard motors.
	A \$2.50 processing fee must also be included.
	This bill of sale completed and issued by the city or county that sold the abandoned property in accordance with its local ordinance.
Note: No title fee or taxes are required when applying for a Junking Certificate.	

MO 860-2698 (4-04)

Applications, supporting documents and applicable fees **must be mailed** to the MISSOURI DEPARTMENT OF REVENUE, DRIVER AND VEHICLE SERVICES BUREAU, 301 W HIGH ST, PO BOX 100, JEFFERSON CITY MISSOURI 65105-0100.